

1 REMARKS:
2

3 Claim 1 has been amended by the addition of the
4 following language to Claim 1 as originally submitted:
5 "and whereby said substantially neutrally buoyant tubular
6 composite umbilical means is anchored to the sea bottom in at
7 least one location." For the antecedent basis for this
8 language, please refer to Figures 49 and 50, and to the
9 specification on page 172, line 25, to page 173, line 31.
10 Other particularly relevant specification also appears on
11 page 165, line 15 to page 172, line 23. Applicant had
12 discussed this type of added language with Examiner recently
13 by telephone. Applicant appreciates the help and assistance
14 of Examiner. Thank you.
15

16 Claim 2 has been amended by the addition of the
17 following language to Claim 2 as originally submitted:
18 ", and whereby said substantially neutrally buoyant tubular
19 composite umbilical means is anchored to the sea bottom in at
20 least one location."
21

22 Claim 3 has been amended by the addition of the
23 following language to Claim 3 as originally submitted:
24 ", and whereby said substantially neutrally buoyant tubular
25 composite umbilical means is anchored to the sea bottom in at
26 least one location".
27

28 Claim 4 has been amended by the addition of the
29 following language to Claim 4 as originally submitted:
30 ", and whereby said positively buoyant tubular composite
31 umbilical means is anchored to the sea bottom in at least one
32 location."
33

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1 Claim 5 has been amended by the addition of the
2 following language to Claim 5 as originally submitted:
3 ", and whereby said positively buoyant tubular composite
4 umbilical means is anchored to the sea bottom in at least one
5 location."
6

7 Claim 6 has been amended by the addition of the
8 following language to Claim 6 as originally submitted:
9 ", and whereby said positively buoyant tubular composite
10 umbilical means is anchored to the sea bottom in at least one
11 location."
12

13 The 6/3/2005 Office Action states under Item 3 the
14 following: "Claims 1, 2, 4, and 5 are rejected under U.S.C.
15 102(b) as being anticipated by Costa Filho 5,289,561. Costa
16 Filho shows a flowline for producing hydrocarbons from a
17 subsea well that is comprised of a substantially neutrally
18 buoyant tubular 78 composite umbilical means...." Applicant
19 respectfully submits that he cannot locate element 78 in any
20 of the figures in Filho. Further, applicant submits that
21 there is no description of any type of neutrally buoyant
22 tubular means within Filho. Further, applicant submits that
23 there is no apparatus or method described within Filho that
24 would allow anyone with ordinary skill in the art to
25 fabricate a neutrally buoyant umbilical from the disclosure
26 in the specification. Element 13 in Figure 5 shows a portion
27 of the "flexible pipeline " (column 4, lines 56-58 of Filho)
28 which raises to the surface under tension, but that is not
29 neutrally buoyant. Accordingly, applicant respectfully
30 submits that Claim 1 (Amended) is allowable over Filho.
31

32 The 6/3/2005 Office Action states in part: "As concerns
33 claim 2, Costa Filho shows a method of using a flowline for

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1 producing hydrocarbons from a subsea well that is comprised
2 of a substantially neutrally buoyant tubular composite
3 umbilical means...." Because Filho does not describe any
4 neutrally buoyant tubular as described in the previous
5 paragraph, applicant respectfully submits that the objections
6 of the 6/3/2005 Office Action against Claims 2 as amended are
7 not applicable. Accordingly, applicant respectfully submits
8 that Claim 2 as amended is allowable over Filho.
9

10 The 6/3/2005 Office Action further states: "As concerns
11 claim 4, Costa Filho shows a flowline for producing
12 hydrocarbons from a subsea well that is comprised of a
13 positively buoyant tubular composite umbilical means...."
14 Applicant submits that there is no description of any type of
15 positively buoyant tubular means within Filho. Further,
16 applicant submits that there is no apparatus or method
17 described within Filho that would allow anyone with ordinary
18 skill in the art to fabricate a positively buoyant umbilical
19 means from the disclosure in the specification. Element 13
20 in Figure 5 shows a portion of the "flexible pipeline "
21 (column 4, lines 56-58 of Filho) which raises to the surface
22 under tension, but that is not positively buoyant.
23 Accordingly, applicant respectfully submits that Claim 4 as
24 amended is allowable over Filho.
25

26 The 6/3/2005 Office Action states: "As concerns claim 5,
27 Costa Filho shows a method of using a flowline for producing
28 hydrocarbons from a subsea well that is comprised of a
29 positively buoyant tubular composite umbilical means...."
30 As set forth in the previous paragraph, because Filho does
31 not describe any positively buoyant tubular means, applicant
32 respectfully submits that the objections of the 6/3/2005
33 Office Action against Claims 5 as amended are not applicable.

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1 Accordingly, applicant respectfully submits that Claim 5 as
2 amended is allowable over Filho.
3

4 The 6/3/2005 Office Action further states: "Claims 3
5 and 6 are rejected under 35 U.S.C. 102(e) as being
6 anticipated by Coats 6,615,848. As concerns claim 3, Coats
7 shows a flowline for producing hydrocarbons from a subsea
8 well that is comprised of a substantially neutrally buoyant
9 tubular composite umbilical means (figures 1-2), whereby the
10 tubular composite umbilical means that contains any produced
11 hydrocarbons is substantially neutrally buoyant in the sea
12 water adjacent to the subsea well (abstract)." Applicant
13 wishes to respectfully point out that Coats is an invention
14 directly solely at "An apparatus for removing material from a
15 conduit..." (lines 1 and 2 of Claim 1); and "A tool for
16 removing deposits from the inside diameter of a conduit, the
17 tool comprising..." (lines 1 and 2 of Claim 16); and "A method
18 of monitoring and cleaning a conduit inner diameter with
19 deposits..." (lines 1 and 2 of Claim 22). The only
20 independent claims in Coats are Claims 1, 16, and 22.
21 Applicant wishes to respectfully point out that the invention
22 described in Coats is not a flowline itself, but instead, is
23 a device to clean out an existing flowline. In Coats, the
24 tubular attached to the "cleaning and monitoring tool
25 attached to its end" (Coats, Abstract) is inserted within a
26 flowline, but the combination of those two elements in Coats
27 would not make an assembled entire flowline that is
28 substantially neutrally buoyant as taught in applicant's
29 invention. Further, although Coats does describe using "a
30 nearly neutrally buoyant or substantially buoyant..." tubing
31 string attached to the cleaning tool, Coats does not describe
32 using such tubing string as a flowline itself. Therefore,
33 applicant's invention solves a different problem than Coats,

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1 and such different problem is recited in applicant's Claim 3
2 as amended. Further, Coats lacks any suggestion that its
3 teachings should be modified in a manner required to meet
4 applicant's Claim 3 as amended. Therefore, applicant
5 respectfully submits that Claim 3 as amended is allowable
6 over Coats.
7

8 The 6/3/2005 Office Action further states: "As concerns
9 claim 6, Coats shows a flowline for producing hydrocarbons
10 from a subsea well that is comprised of positively buoyant
11 tubular composite umbilical means,...". Applicant has not
12 been able to find any reference in Coats to any type of
13 "positively buoyant tubular composite means...". Applicant
14 wishes to respectfully point out that the invention described
15 in Coats is not a flowline itself, but instead, is a device
16 to clean out an existing flowline. Further, although Coats
17 does describe using "a nearly naturally buoyant or
18 substantially buoyant..." tubing string attached to the
19 cleaning tool, Coats does not describe using such tubing
20 string as a flowline itself. Therefore, applicant's
21 invention solves a different problem than Coats, and such
22 different problem is recited in applicant's Claim 6 as
23 amended. Further, Coats lacks any suggestion that its
24 teachings should be modified in a manner required to meet
25 applicant's Claim 6 as amended. Therefore, applicant
26 respectfully submits that Claim 6 as amended is allowable
27 over Coats.
28

29 In accordance with the above, applicant has responded in
30 detail to every single point in the 6/3/2005 Office Action.
31 Therefore, applicant respectfully submits that
32 Claims 1-6, as amended, are in a condition for allowability.
33 Thank you.

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1 PAYMENT OF FEES:

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3 All fees are to be paid from Applicant's Account
4 No. 50-0499. To applicant's best knowledge, only the amount
5 of \$60 is required for the one-month extension.
6

7 If the applicant has made a mistake on the payment of
8 any fees herein, applicant requests that any such
9 deficiencies be billed to Account No. 50-0499 that was
10 established on 3/20/1998. Fees on patents and patent
11 applications entirely owned, or owned in part, by William
12 Banning Vail III may be made from this account. William
13 Banning Vail III is doing business as an inventor under the
14 name of "Vail's Inventions". Marilyn L. Vail, the wife of
15 William Banning Vail III, may also direct that fees be paid
16 from this Account No. 50-0499. If for unforeseen reasons
17 funds are not available in that account, please let applicant
18 know as soon as possible and said deficiencies will be paid
19 immediately. In the event of overpayment of any fees herein,
20 applicant respectfully requests that any overpayment be
21 deposited into Account No. 50-0499.
22
23
24

25 Pro-Se Case

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27 This case herein is a pro-se case. Therefore, in the
28 event that the USPTO objects to any, or all of the claims
29 herein, applicant respectfully requests assistance from the
30 Examiner under MPEP Section 707.07(j) to draft an acceptable
31 claim based upon the disclosure and language in the
32 application.
33

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1 Further, in the event that the Examiner rejects the
2 claims, applicant requests that Examiner direct applicant
3 to the claims closest to allowability, and if possible,
4 applicant further requests that Examiner preliminarily
5 mark-up one of said claims in a future office action to
6 further aid applicant to achieve allowability of at least
7 one claim in an expeditious fashion.
8
9
10

11 **DECLARATION:**
12

13 As applicant, I hereby verify that all statements made
14 herein of my own knowledge are true and that all statements
15 made on my information and belief are believed to be true;
16 and further that these statements were made with the
17 knowledge that willful false statements and the like so made
18 are punishable by fine or imprisonment, or both, under
19 Section 1001 of Title 18 of the United States Code and that
20 such wilful false statements may jeopardize the validity of
21 the application or any patent issuing thereon.
22

23 This application is filed pro-se. The applicant is
24 using the book entitled "Patent It Yourself", Eleventh
25 Edition, by David Pressman, and if there are errors, please
26 advise the co-inventor, and such errors will be corrected
27 immediately.
28
29
30

31 (Entire Signature on Next Page for Clarity)
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1 Please address all correspondence involving this case to
2 the co-inventor at the below defined address. Thank you.
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4
5

6 Very respectfully submitted,
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8
9

10 William Banning Vail III
11 William Banning Vail III
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OCT. 3, 2005

Date

31 (Note: This is the signature page of the document entitled
32 "RESPONSE TO OFFICE ACTION MAILED 6/3/2005 AND AMENDMENT"
33 for Serial No. 10/800,443.)

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